SINGLE BENCH

(9)

c/ Rs. 100/-

IN THE COURT OF HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO 918 /2006

PETITIONER : Punau S/o Late Shri Chingru , Aged about 57 year working as Gangman Department of P.W.D.R/o Bandhapali, Tah. Sarangarh Distt. Raigarh (C.G.)

M.E. No. 999/06
Presented by Shri Sameer Behar
dated 24/2/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh through its Secretary, Public Works Department, Mantralaya, D.K.S. Bhavan, Raipur (C.G.)
2. Engineer-in-Chief, Public Works Department, Mantralaya, D.K.S. Bhavan, Raipur (C.G.)
3. Superintending Engineer, Public Works Department, Bilaspur Division, Distt. Bilaspur (C.G.)
4. Executive Engineer, Public Works Department, Dist. Raigarh (C.G.)

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24-2-06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC. OR ANY OTHER DIRECTION OR ORDER TO DO JUSTICE IN THE MATTER

XI-HC-22

(96)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 918/2006

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-3-2006

Shri Sameer Behar, counsel for the petitioner.
Shri Satish Gupta, Dy. Govt. Adv. for the State.
Application for urgent hearing is allowed.
Heard.

The petitioner has filed this petition under Articles 226/227 of the Constitution of India on the ground that even after completing 25 years of service, his services have not been regularized.

Counsel for the petitioner submits that the petitioner is serving as Gangman since more than 25 years. He has filed copy of Service Book. He submits that the petitioner is entitled to be regularized under the Gangmen's Service Rules, 1996 Annexure P-2 and Circulars Annexure P-3 dated 9-4-2003 and Annexure P-4 dated 3-9-2002. It is pointed out that representations as per Annexure P-6 were made collectively and the same is pending. It is also pointed out that some persons have been regularized. Learned counsel relied on a decision of Hon'ble Apex Court in the case of The orkmen of Bhurkunda Colliery of M/s. Central Coalfields Ltd. –v- The Management of Bhurkunda Colliery of M/s. Central Coalfieds Ltd. reported in 2006 AIR SCW 452. He referred to para 19 and 27 of the above decision.

Learned State counsel pointed out that the representation submitted by the petitioner is pending and the same will be considered and decided.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, for the present, ends of justice will be served if a direction is given to the petitioner to make a detailed representation afresh raising his grievances before the respondent no. 2 – Engineer-in-Chief along with a copy of the petition and this order, within three weeks from today, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within three months from the date of receipt/ production of the representation. It is made clear that if any grievance remains, the petitioner may avail the remedy, available under the law.

With the aforesaid observations, this petition stands disposed of.

Counsel submits that photocopy of the order may be supplied to them.

Certified copy as per rules. Photocopy of order may also be supplied.

Sd/-
Fakhruddin
Judge

Pathak

10-3-06